

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

Cathy Welch, *Administrative of the Estate
of G.W., R.H., T.W., T.F., D.H., B.C. and
A.L. by next friend Norma Labounty,*

v.

Civil Case No. 5:21-cv-283

KENNETH SCHATZ, et al.,

ORDER DISMISSING CASE

Plaintiffs filed this civil rights action in December 2021. The case concerns claims that children were mistreated by state employees while confined at the Woodside Juvenile Center.

Between April and August 2022, defendants filed multiple motions to dismiss. Doc. 49-58, 68-77). In October 2022, plaintiffs filed a comprehensive response. (Doc. 80). Defendants have filed reply memoranda. Briefing is complete.

On October 31, 2022, plaintiffs filed a stipulation motion to stay consideration of the pending motions due to continuing settlement talks. The court granted the motion on November 1, 2022. Since that date, the parties have advised chambers staff that the case is settled and that a stipulation of dismissal will be filed shortly.

In the absence of a stipulation to dismiss, the court DISMISSES the case without prejudice to plaintiffs' right to refile the amended complaint at any time within the next 120 days without paying an additional filing fee. In the event of refiling, the court will set an immediate status conference to confirm acceptance of service and any other preliminary issues. There will be no need to refile the various motions to dismiss. These will be set for hearing.

CONCLUSION

The court orders that this case is DISMISSED WITHOUT PREJUDICE. Plaintiffs may refile the Amended Complaint (Doc. 65) at any time within 120 days without paying a filing fee.

Dated at Burlington, in the District of Vermont, this 6th day of March 2023.

/s/ Geoffrey W. Crawford
United States District Chief Judge